

Application No. 10/579,798

Supplemental Response to Office Action dated April 3, 2009

REMARKS

Claims 1-20 are currently pending.

Initially, Applicants would like to thank Examiner Fogarty for the helpful and courteous recent telephonic conversations during which the pending claims and the examples in the present application were discussed. During the conversations, the Examiner indicated her belief that the examples (particularly example 1 on page 36) demonstrated the criticality of the value  $Mn \cdot S = 0.40$ . The Examiner also indicated that example 11 on page 36 could demonstrate the criticality of the value  $Mn \cdot S = 1.2$ , but that she would like some evidence concerning why the low Of/S value should not be considered to be responsible for the poor characteristics of the product in example 11.

Submitted concurrently herewith is a Rule 132 declaration providing evidence as to why the low Of/S value in example 11 should not be considered to be responsible for the poor characteristics of the product in this example. More specifically, the Rule 132 declaration indicates that the higher  $Mn \cdot S$  value in example 11 meant that the S value was excessively high in the example, leading to a reduction in free oxygen necessary for the control of the configuration of  $MnS$ , which deteriorated machinability and led to poor product characteristics. (Rule 132 dec. par. 3). (See also, page 21, par. [0050] of the present application). Accordingly, the fact that the Of/S value was too low in example 11 should not be considered to be responsible for the poor characteristics of the product in example 11 because the high  $Mn \cdot S$  value would have resulted in oxygen reduction and low oxygen content. (Rule 132 dec. par. 4). In other words, the high  $Mn \cdot S$  value in example 11 was responsible for the low oxygen

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content in the example as well as the poor characteristics of the product in the example. (Rule 132 dec. par. 4).

Applicants respectfully submit that the above information addresses the Examiner's concerns and explains why the focus in example 11 is more properly on the Mn\*S value instead of the Of/S value.

Claims 1 and 2 have been amended to reinsert the original values for Mn\*S. Applicants respectfully submit that the examples in the present application demonstrate the criticality of this range.

The Office Action rejected claims 1-4, 6-9, 13-15 and 17-20 under 35 U.S.C. § 103 as obvious over Japanese patent application JP 2003-253390 ("JP 390"), claims 1-5, 7-12 and 17-20 under 35 U.S.C. § 103 as obvious over Japanese patent application JP 2001-207240 ("JP 240") and claim 16 under 35 U.S.C. § 103 as obvious over JP 240 in view of JP 390. In view of the above comments and amendments, as well as the concurrently submitted Rule 132 declaration and Applicants previous' response, Applicants respectfully request reconsideration and withdrawal of the pending rejections.

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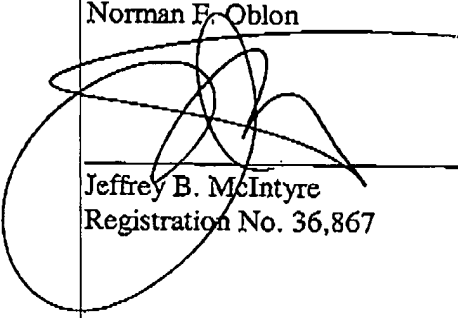
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Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

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